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AUSA Barry Joñas (312) 886-8027

DEC 12 2016 *u*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

JEFFREY RIVERA and
OSVALDO GARCIA

Case No.:

16CR 803

Magistrate Judge Sidney I. Schenkier

AFFIDAVIT IN REMOVAL PROCEEDING

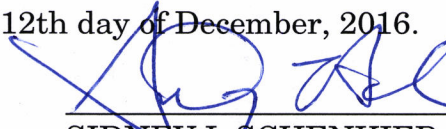
I, NICOLE HARRIS, personally appearing before United States Magistrate Judge Sidney I. Schenkier and being duly sworn on oath, state that as a federal law enforcement officer I have been informed that JEFFREY RIVERA and OSVALDO GARCIA have been charged by Indictment in the Northern District of New York with the following criminal offense: Conspiracy to Possess with Intent to Distribute and Distribute Cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

A copy of the Indictment is attached. A copy of the arrest warrants also are attached.

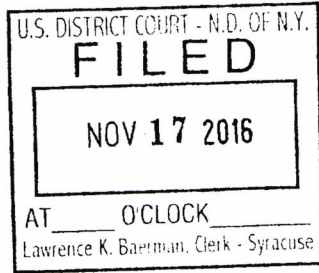


NICOLE HARRIS
Deputy U.S. Marshal
United States Marshals Service

SUBSCRIBED AND SWORN to before me this 12th day of December, 2016.



SIDNEY I. SCHENKIER
United States Magistrate Judge



SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

**GILBERT ROSA SANCHEZ,
aka "Julian Lucia-Cedano,"
NICOLAS PERALTA,
SAMUEL RIVERA,
JEFFREY RIVERA,
HECTOR GUTIERREZ,
JULIO HERNANDEZ,
RAMON GOMEZ,
OSVALDO GARCIA,
JUAN RAMIREZ, and
VANESSA PAGAN**

Defendants.

) Criminal No. 5:16-CR- **342** (GTS)
)
) **Indictment**
)
)
)
) Violation: 21 U.S.C. § 846
) [Conspiracy to Possess with
) Intent to Distribute and to
) Distribute Cocaine]
)
) One Count and Forfeiture Allegation
)
)
)
) County of Offense: Oneida

THE GRAND JURY CHARGES:

COUNT 1

[Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine]

From in or about June 2015, through on or about October 8, 2016, in Oneida County in the
Northern District of New York, and elsewhere, the defendants,

**GILBERT ROSA SANCHEZ, aka "Julian Lucia-Cedano,"
NICOLAS PERALTA,
SAMUEL RIVERA,
JEFFREY RIVERA,
HECTOR GUTIERREZ,
JULIO HERNANDEZ,
RAMON GOMEZ,
OSVALDI GARCIA,
JUAN RAMIREZ, and
VANESSA PAGAN,**

conspired with each other and others to knowingly and intentionally possess with intent to distribute and to distribute a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846.

As to defendants **GILBERT ROSA SANCHEZ aka "Julian Lucia-Cedano," NICOLAS PERALTA, SAMUEL RIVERA, and JEFFREY RIVERA,** that violation involved five (5) kilograms or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(A).

As to defendants **HECTOR GUTIERREZ, JULIO HERNANDEZ, and RAMON GOMEZ** that violation involved five hundred (500) grams or more of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B).

As to defendants **OSVALDO GARCIA, JUAN RAMIEREZ, and VANESSA PAGAN,** that violation involved a mixture and substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(C).

FORFEITURE ALLEGATION

The allegation contained in Count One of this Indictment is hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

Pursuant to Title 21, United States Code, Section 853, upon conviction of offenses in violation of Title 21, United States Code, Section 846, the defendants, **GILBERT ROSA SANCHEZ** aka "**Julian Lucia-Cedano**," **NICOLAS PERALTA**, **SAMUEL RIVERA**, **JEFFREY RIVERA**, **HECTOR GUTIERREZ**, **JULIO HERNANDEZ**, **RAMON GOMEZ**, **OSVALDO GARCIA**, **JUAN RAMIREZ**, and **VANESSA PAGAN** shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offenses and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the offenses. The property to be forfeited includes, but is not limited to, the following:

- (1) A money judgment in the amount of \$1,000,000.00, for which the defendants are jointly and severally liable.
- (2) \$17,715 in U.S. Currency.
- (3) \$11,000 in U.S. Currency.

Substitute Property

If any of the property described above, as a result of any act or omission of the defendants:

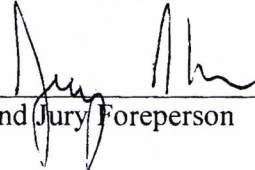
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p).

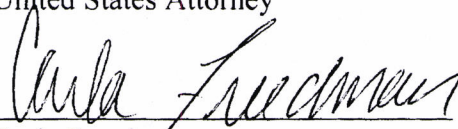
Dated: November 17, 2016

A TRUE BILL,


Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By:


Carla Freedman
Assistant United States Attorney
Bar Roll No. 514723

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America

v.

JEFFREY RIVERA

*Defendant*Case No. 16-cr-342 (GTS)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) JEFFREY RIVERA

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
☐ Probation Violation Petition
☐ Supervised Release Violation Petition
☐ Violation Notice
☐ Order of the Court

This offense is briefly described as follows:

21 U.S.C. § 846 - Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine

Date: 11/17/2016


Issuing officer's signature
City and state: Syracuse, New York

Hon. Thérèse Wiley Dancks, U.S. Magistrate Judge

Printed name and title

Return

 This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the

Northern District of New York

United States of America

v.

OSVALDO GARCIA

*Defendant*Case No. 5:16-CR-342 (GTS)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) OSVALDO GARCIA

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment
 ☐ Superseding Indictment
 ☐ Information
 ☐ Superseding Information
 ☐ Complaint
☐ Probation Violation Petition
☐ Supervised Release Violation Petition
☐ Violation Notice
☐ Order of the Court

This offense is briefly described as follows:

21 U.S.C. § 846 - Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine

Date: 11/17/2016

*Issuing officer's signature*City and state: Syracuse, New YorkHon. Thérèse Wiley Dancks, U.S. Magistrate Judge*Printed name and title*

Return

 This warrant was received on (date) _____, and the person was arrested on (date) _____
 at (city and state) _____.

Date: _____

*Arresting officer's signature**Printed name and title*